IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.309 OF 2003

Oil & Natural Gas Corporation Ltd. .. Petitioners
V/s
Municipal Corporation of Gr.Mumbai & Anr.. Respondents

Mr.P.Shinde i/by M/s.M.Dhruva & Co.for the Petitioners.
Mrs.N.V.Sanglikar for Respondent No.1.
Mr.L.T.Sathelkar, AGP for Respondent No.2.

CORAM: F.I.REBELLO, &
S.P.KUKDAY, JJ.

DATE : 06.04.2005.

P.C.:

1. Rule. Heard forthwith.

2. Grievance of the petitioner in the present petition is that the Respondent Corporation has permitted the structures to come up on an area which is acquired from the petitioners for the purpose of a road widening. It is the case of the Respondent Corporation that they had so done as they could not immediately rehabilitate the persons who are eligible to be rehabilitated. The public roads/footpaths and streets cannot be allowed to be used for puting up the constructions. However, considering the contentions of the Respondent Corporation, the Respondent Corporation is granted six months time to rehabilitate those who are eligible and shift them within a period of six months from today. On shifting, the structures existing will be removed and the land will be made open for the purpose of public road/footpath. If there are structures which are

ineligible, they will be removed within a period of four months from today by following a due process of law.

3. Rule is made absolute accordigly. However, with no order as to costs.

(F.I.REBELLO, J.)

(S.P.KUKDAY, J.)